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|--|-------------|----------------------|-------------------------|------------------|
| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.     | CONFIRMATION NO. |
| 10/598,992   |             | Yatendra KUMAR       | RLL-509.2CIPUS          | 3028             |
| 7590 02/05/2008  |             |                      | EXAMINER                |                  |
| RANBAXY INC.<br>600 COLLEGE ROAD EAST<br>SUITE 2100<br>PRINCETON, NJ 08540 |             |                      | ART UNIT PAPER NUMBER   |                  |
|  |             |                      | 1626                    |                  |
|  |             |                      | MAIL DATE DELIVERY MODE |                  |
|  |             |                      | 02/05/2008 PAPER        |                  |

## DECISION DISMISSING PETITION UNDER 37 CFR 1.138(d)

*The declaration of express abandonment will not be recognized*

This is in response to the petition under 37 CFR 1.138(d), requesting for a refund of any previously paid search fee and excess claims fee in the above-identified application.

The petition is dismissed.

The express abandonment will **not** be recognized for the reason(s) indicated below:

- ☐ The petition was not filed in sufficient time to permit the appropriate officials to recognize the abandonment before an examination has been made of the application. See 37 CFR 1.138(d).
- ☐ The petition was not signed by a party authorized by 37 CFR 1.33(b)(1), (3) or (4).
- ☒ The application is not an application filed under 35 U.S.C. 111(a) on or after December 8, 2004.
- ☐ The petition for express abandonment under 1.138(d) is dismissed because the applicant did not pay any search fee and excess claims fees in the above-identified application.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

*Kalitha Kuri*

Patent Publication Branch  
Office of Data Management